

MONO COUNTY PLANNING COMMISSION

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SPECIAL MEETING MINUTES THURSDAY, FEBRUARY 1, 2007 - 10 A.M. (Adopted June 14, 2007)

PART I: Walker Community Center, Walker

Commissioners present: Scott Bush, Rick Kattelmann, Sally Miller, Steve Shipley. **Absent:** Ron Black.

Staff present: Scott Burns, director; Keith Hartstrom & Larry Johnston, principal planners; Gwen Plummer, associate planner; Evan Nikirk & Kelly Garcia, public works; Allen Berrey, assistant county counsel; C.D. Ritter, commission secretary.

1. CALL TO ORDER: Chair Rick Kattelmann called the meeting to order at 10:12 a.m.

2. PUBLIC COMMENT:

Bruce Woodworth, Antelope Valley resident, indicated that the local RPAC has compiled a list of General Plan Amendment proposals that include RPAC review of subdivisions, with 45 days public notice of meetings; alternative energy; and restricting water export.

3. MEETING MINUTES: Review and adopt minutes of:

A. Special Meeting Oct. 26, 2006. Due to absence of commissioners Kattelmann & Miller at that meeting and the requirement of a majority of commissioners to conduct business, the minutes cannot be adopted today due to the absence of Commissioner Black.

B. Regular meeting Dec. 14, 2006. Approve as amended: Item 7. A. 1) Delete second sentence. (Miller/Shipley. Ayes: 3. Abstain due to absence: Bush. Absent: Black.)

4. PUBLIC HEARINGS:

A. USE PERMIT APPLICATION 31-06-08/Nygaard. *(Continued from Dec. 14, 2006, & Jan. 11, 2007.)* The proposed project is located on a 34.72-acre parcel (APN 24-240-50) in the Antelope Valley on the west side of U.S. 395, just south of the U.S. Marine Corps housing. The project consists of leasing approximately two acres to a nonprofit organization for construction of a 32-ft. x 60-ft. building to be used for the Lady of the Valley Chapel. The building will be one story with a daylight basement, two bathrooms, kitchen, and seating for 100 people. A well and septic system will be provided. A single-family residence exists on site, and a cell tower on the parcel was recently approved. The General Plan designation is Rural Residential (RR). *Staff: Keith Hartstrom*

Gwen Plummer presented an overview of the project.

OPEN PUBLIC HEARING. Rose Murray, lessee's agent, noted that only two acres of the 35-acre parcel would be used. Tim Fesko, area resident, urged approval. **CLOSE PUBLIC HEARING.**

DISCUSSION: None.

MOTION: Approve Use Permit 31-06-08. (Bush/Miller. Ayes: 4. Absent: Black.)

B. GENERAL PLAN AMENDMENT 06-02 *(Items 1-18 were considered Dec. 14, 2006.):* 19) Change the Land Use Designation for APN 02-360-21, a 1.34-acre site acquired by the County for the Walker Paramedic Station, from Estate Residential (ER) to Public Facility (PF). *Staff: Keith Hartstrom & Greg Newbry*

DISTRICT #1
COMMISSIONER
Rick Kattelmann

DISTRICT #2
COMMISSIONER
Steve Shipley

DISTRICT #3
COMMISSIONER
Ron Black

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Sally Miller

Keith Hartstrom outlined the change request. Commissioner Bush indicated that the Dark Sky Regulations that interest Antelope Valley were discussed in December, and additional comments could be presented later at a Mono Supervisors hearing on General Plan Amendment 06-02.

OPEN PUBLIC HEARING: Tim Fesko, area resident, thought it only made sense to change the designation of this gift to the County. **CLOSE PUBLIC HEARING.**

DISCUSSION: None.

MOTION: Approve changing the Land Use Designation of APN 02-360-21 from ER to PF, and adopt the resolution later in one fell swoop. (Bush/ShIPLEY. Ayes: 4. Absent: Black.)

FIELD REVIEW GROUND RULES

The public is welcome to join get information, view the sites and note boundaries, but not discuss merits of the projects. The field review is a continuation of the meeting, with all the usual rules applying, but it is not a public hearing.

--- After the field review & lunch break, the meeting reconvened at 2:03 p.m. ---

PART II: Supervisors Chambers, County Courthouse, Bridgeport

Commissioners present: Scott Bush, Rick Kattelman, Sally Miller, Steve Shipley. **Absent:** Ron Black.

Staff present: Scott Burns, director; Keith Hartstrom & Larry Johnston, principal planners; Gwen Plummer, associate planner; Allen Berrey & Mark Magit, assistant county counsel; C.D. Ritter, commission secretary.

6. ACTION ITEM:

RESCO DEVELOPMENT HOUSING MITIGATION AGREEMENT: Consider recommending approval of alternative housing mitigation plan. *Staff: Larry Johnston*

Larry Johnston outlined a development proposal that has roughly equal amounts of service commercial and warehouse storage. The developer proposes an alternative to on-site housing that would deed to the County an 11,000± square foot lot in Mammoth Lakes where at least two units could be built. Some options for use of the lot: Mono County could provide the land and Mammoth Lakes Housing Inc. the units; the lot could leverage grants; or a land bank could be created for future developers at the business park.

Typically, an affordable unit would be provided on site, but that would require a change in the Sierra Business Park Specific Plan. Commissioner Bush wondered about setting a precedent that Mono has a commercial interest in the real estate business. He would prefer something someone could live in.

Commissioner Shipley noted that if the parcel sells, Mono County would take it all as a fee. Construction by Mono at prevailing wage, however, would cost twice as much as a general contractor. A fee in lieu of a structure implies that Mono is in the land or building business. It seems like a better deal for Resco than Mono. Johnston noted that Mono could get at least two units instead of one. Crowley would be another option, but Resco had found this lot and thought it could work.

Mark Magit confirmed that the proposal is legal, but now it is a policy issue. Details must be worked out, perhaps a partnership with Mammoth Lakes Housing. The requirement is one affordable unit plus fractional fees.

Commissioner Bush saw no problem with a first-time deal; watch it and see what happens, and keep Planning Commission in the loop to buffer and add protection. Johnston considered it a policy issue, not a land use item, and indicated delays for a developer by adding a month to the process when the commission is involved.

Commissioner Shipley wondered who would ensure that the project actually happens. Johnston indicated that the Housing Ordinance sets in motion the need for a great deal of follow-up by the Housing Authority.

MOTION: Approve Resco Development's Housing Mitigation Agreement. (Shipley/Miller. Ayes: 4. Absent: Black.)

7. PUBLIC HEARINGS:

A. GENERAL PLAN AMENDMENT 06-02: 20) Update the Bridgeport/Lee Vining Airport Land Use Plan Goals and Maps to reflect recent plan changes adopted by the Airport Land Use Commission (ALUC) for Bryant Field and Lee Vining airports. State law requires local general plans and applicable specific plans to be consistent with the ALUC plan. *Staff: Keith Hartstrom & Greg Newbry*

Keith Hartstrom outlined the proposal and indicated that new definitions are reflected in policy changes. One of the most significant was the change from "airport planning boundary" to "airport influence area," which corresponds more closely with runway area configuration.

OPEN PUBLIC HEARING: No items. **CLOSE PUBLIC HEARING.**

DISCUSSION: The law has changed, and General Plan Amendments must allow 90 days for review by the tribes.

MOTION: Adopt Amended General Plan Amendment 06-02 with all 20 items. (Miller/Bush. Ayes: 4. Absent: Black.)

REQUEST: *Report to commission the Mono Supervisors' decision on Antelope Valley's request for exemption from Dark Sky Regulations.*

B. USE PERMIT 34-06-09/Nextel. The project is for placement of wireless telecommunication facilities, a 60' monopine and a 12' x 20' prefabricated equipment shelter. The pine-tree design monopine can hold as many as two cell phone carriers. The proposed project, located at 22 Vista Point Drive at the intersection of U.S. 395 and Hwy. 120 in Lee Vining, is on a 30-acre parcel (APN 21-080-24) that is partially developed with the Tioga Gas and Gift Mart and a small residential area that serves as employee housing. The General Plan designation is Specific Plan (SP). In accordance with Section 15183 of the CEQA Guidelines, a prior EIR is being used for this project. *Staff: Keith Hartstrom & Gwen Plummer*

Keith Hartstrom outlined the proposal. Verizon is interested in co-locating at the facility, which would require resubmission. Site plans might expand the lease area to include an additional shelter. Changes would be subject to commission approval. The applicant has submitted a landscaping plan of 60' + 2' berm facing U.S. 395, planted with native species. Lighting would be only for potential maintenance, not regular use. Monthly equipment inspections would be conducted. An agreement with the property owner guarantees restoration when Nextel is finished with the site.

OPEN PUBLIC HEARING. Matt Veazey, Nextel rep, sees no problem with the Conditions of Approval. Range of coverage: Conway and June Lake do not cover Hwy. 120 or the southern edge of Conway Summit. This would fit in between, providing seamless coverage along U.S. 395, especially the sweeping curve down Conway. Commissioner Miller expressed concern with the Kelly green color of monopines. She recommended mimicking the color and feel of Jeffrey pines. Veazey indicated that Nextel does not like to put up monopines that don't fit the location.

Dennis Domaille, owner of Tioga Gas Mart, noted that color fit changes with the seasons. Economic benefits of the monopine are not insignificant, as they increase campground occupancy. Campers want cell phone coverage for safety when out of their normal environment. Campground hosts now must call sheriffs from the deli. Commissioner Kattelman wondered whether the lease agreement would ensure removal when a new technology emerges. Domaille confirmed that the agreement includes removal. **CLOSE PUBLIC HEARING.**

DISCUSSION: Commissioner Miller acknowledged that everyone wants this, but a monopine can look out of place. The RPACs supported it for safety reasons. She wanted to specify that it resemble the form and color of Jeffrey pines.

Commissioner Shipley, who has seen antennas everywhere, suggested making them a feature of the terrain. The coverage is definitely warranted.

Commissioner Bush saw it as a necessary tradeoff.

Staff would prefer to return to commission if not satisfied with compliance with conditions.

MOTION: Approve Use Permit 34-06-09 subject to modifications of Conditions of Approval: #3. The monopine/tree antenna shall be designed to resemble the form and color of a large tree **Jeffrey pine**; #8: The antennas array shall be dark green **match the tree color of a Jeffrey pine as closely as possible** and antenna mounts be brown to blend with the monopine/tree pole. The tree shall be designed to mimic local tree types **Jeffrey pines**...; and #11, last sentence: The base site for the equipment will **be** lowered two ~~few~~ feet to facilitate project screening. (Miller/Shiple. 4-0. Absent: Black.)

8. ACTION ITEM:

PLANNING COMMISSION RULES & REGULATIONS: Consider amendment eliminating restriction on length of service. *Staff: Scott Burns*

Next week the Mono Supervisors will consider an ordinance change to eliminate the 12-year service limit for commissioners. Allen Berrey noted that it would take effect in 30 days. Commissioner Miller suggested making the Rules & Regulations consistent with the ordinance. Berrey suggested rewording: "Commissioners' term of service shall comply with Ch. 2.36 of County Code." Keith Hartstrom noted that having the commission in place for years is much better from a staff standpoint, as it does not involve a learning curve with new commissioners.

MOTION: Approve changes to Rules & Regulations: Section 3 B 1: Districts #1 and #5, March 1, 2003, **2007**, to March 1, 2007 **2011**. Section 3 B 2. ~~Commissioners shall serve no longer than a period of 12 years.~~ **Commissioners' terms of service shall comply with Ch. 2.36 of County Code.** (Bush/Shiple. Ayes: 4. Absent: Black.)

NEXT MEETING: Elect chair and introduce new appointees at a delayed March meeting.

9. REPORTS:

A. DIRECTOR: 1) Updating General Plan Elements: When LTC adopted the Circulation Element, Caltrans planned to refine area-specific policies. For example, an outside consultant for Tri-Valley will consider commercial development, sidewalks, bike paths, etc. A six-month facilitative planning process would address housing, growth, ag uses, land exchanges, and consolidation of patchwork private land ownership around existing communities. 2) Mountain Gate grant: A Negative Declaration has been approved and a design consultant is to be hired, so something should be ready by summer. 3) Intrawest project: The application submitted in 2005 has missing info, and no funds have been submitted to hire a consultant for SP/EIR. However, a chemical/isotope analysis is being conducted to ascertain if exploratory wells are connected to nearby surface waters. Intrawest may be considering a more intense proposal. 4) Beds: The June Lake Coalition focused on warm beds to support June Mountain, and a \$40,000 CDBG grant application was submitted. There is concern about job creation and job retention. Last weekend, June Mountain closed for the season, and seasonal workers departed.

B. PLANNING COMMISSIONERS: Kattelmann, who recently served as the hearing officer on the Haley property, suggested a workshop on responsibilities prior to a hearing.

C. SUPERVISOR BILL REID: The Lions Club discussed expansion of the Walker Community Center earlier today. The Lions will explore funding at a town hall meeting later.

10. INFORMATION: No items.

11. ADJOURN: 3:30 p.m.

Respectfully submitted, C.D. Ritter, commission secretary